

**HellerEhrman**  
ATTORNEYS

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Menlo Park, CA 94025-3506  
Main (650) 324-7000  
Fax (650) 324-0638

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OCT 25 2004

**To:** Michael Pak  
Primary Examiner  
USPTO  
**Telephone:** 703-305-7038  
**From:** Sam L. Nguyen *SN*  
**Telephone:** (650) 324-7028  
**Direct Fax:** (650) 324-0638  
**No. of Pages:** 30 pgs. (including cover)  
**Date:** October 25, 2004

**Fax:** (703) 872-9306

**Re:** U.S. Patent Application No. 09/705,285  
**Filing Date:** November 1, 2000  
**Inventors:** Tina Etchevery et al.  
**Attorney Docket:** 21657-0002 C1

U.S. Patent Application No. 10/886,187  
**Filing Date:** July 6, 2004  
**Inventors:** Tina Etchevery et al.  
**Attorney Docket:** 21657-0002 C2

Dear Examiner Pak:

A Notice of Abandonment was recently received in connection with the above referenced patent application No. 09/705,285.

However, in response to an Office Action mailed January 13, 2004, on July 6, 2004 Applicants timely filed an Amendment, Response, a request for a 3-month extension of time, and a continuation application (U.S. Patent Application No. 10/886,187).

Per your telephonic instructions of today indicating that a petition to withdraw the Notice of Abandonment would not be required in the present case, please find attached a copy of the documents filed on July 6, 2004 in response to an Office Action mailed January 13, 2004. Because a response to the Office Action of January 13, 2004 was timely filed, Applicants respectfully request that the USPTO acknowledges the pending continuation application No. 10/886,187 based on the documents filed herein.

The information contained in this communication is intended only for the use of the addressee and may be confidential, may be attorney-client privileged and may constitute inside information. Unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error or you have not received all pages, please call the sender immediately at (650) 324-7000.

Heller Ehrman White &amp; McAuliffe LLP www.hewm.com

**HellerEhrman**  
ATTORNEYS**Facsimile Transmittal**  
Page 2**Message (Continued):**

The following documents are attached:

**For U.S. Patent Application No. 09/705,285:**

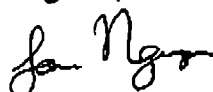
1. Petition for Extension of Time
2. Fee Transmittal for FY 2004
3. Transmittal Form
4. Date Stamped Returned Post Card
5. Express Mail Receipt

**For U.S. Patent Application No. 10/886,187:**

6. Date Stamped Returned Post Card
7. Express mail label and receipt
8. Utility Patent Application transmittal
9. Fee Transmittal for FY 2004
10. Copy of Fee Transmittal for FY 2004 for App. No. 09/705,285 (parent case)
11. Response and Preliminary Amendment
12. Information Disclosure Statement
13. Combined Declaration and Power of Attorney, and
14. Recordation of Assignment and Assignment documents.

A copy of the specification filed in the continuation application is not being transmitted with this facsimile. Thank you for your assistance with this matter.

Regards,



Sam L. Nguyen

Enclosure

SV 2073548 v1  
10/25/04 9:56 AM (21657.0002)

EXPRESS MAIL NO. EL 977 6/B 610 US - DATE MAILED: JULY 6, 2004  
Attorney's Docket No. 21657-0002 C1 (GRD/SRM/cf)

Applicant(s): Tina ETCHEVERRY, et al.  
Title: MAMMALIAN CELL CULTURE PROCESS

Application Serial No. 09/705,285 Group Art Unit: 1646  
Filing Date: November 1, 2000 Examiner: Pak, Michael D.



Commissioner for Patents -- MAIL STOP AF  
PO Box 1450  
Alexandria, Virginia 22313-1450

SIR:

Please place the U.S. Patent and Trademark Office date stamp hereon to  
acknowledge receipt of the following:

1. Transmittal Form; Fee Transmittal;
2. Petition for Extension of Time (3 Months); and Return Postcard.



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PHONE <b>550, 324 7000</b>		<b>TO: (PLEASE PRINT)</b>
<b>ATTN: PATENT &amp; TRADEMARK GROUP</b> <b>HELLER GRHAM WHITE &amp;</b> <b>MCMAULIFFE, LLP</b> <b>275 MIDDLEFIELD RD</b> <b>MENLO PARK CA 94025-3506</b>  <b>21657-0002 01 (GRD/IF)</b>		<b>MAIL STOP AF</b> <b>COMMISSIONER FOR PATENTS</b> <b>PO BOX 1450</b> <b>ALEXANDRIA VA 22313-1450</b>
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PTO/SB/21 (8-99)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/705,285	
	Filing Date	NOVEMBER 1, 2000	
	First Named Inventor	TINA ETCHEVERRY	
	Group/Art Unit	1646	
	Examiner Name	PAK, MICHAEL D.	
Total Number of Pages in This Submission	3	Attorney Docket Number	21657-0002 C1

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> <b>AMENDMENT / RESPONSE</b> <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> <b>EXTENSION OF TIME REQUEST (3 MONTH)</b> <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> <b>ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):</b> <input checked="" type="checkbox"/> <b>STAMPED RETURN POSTCARD</b>
Remarks AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 211 57-0002 C1.		

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual name	HELLER EHRMAN WHITE & McCAULIFFE LLP		GINGER R. DREGER (Reg. No. 33,055)	
	275 Middlefield Road, Menlo Park, California 94025		Telephone: (650) 324-7000	Facsimile: (650) 324-0638
Signature				
Date	JULY 6, 2004	Customer Number:	25213	

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP AF, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: JULY 6, 2004

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Typed or printed name	C. FONG		
Signature		Date	JULY 6, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR

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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 850.00)

## Complete if Known

Application Number	09/705,285
Filing Date	NOVEMBER 1, 2000
First Named Inventor	TINA ETCHEVERRY
Examiner Name	PAK, MICHAEL D.
Art Unit	1646
Attorney Docket No.	21657-0002 C1

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit Account Number  
Deposit Account Name

08-1641 (21657-0002 C1)

HELLER EHRMAN WHITE &amp; McAULIFFE LLP

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☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	150.00
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501- 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 950.00)

## SUBMITTED BY

Name (Print/Type)	GINGER R. DREGER	Registration No. (Attorney/Agent)	33,055	Telephone (650) 324-7001
Signature		Date	JULY 6, 2004	

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

GRD  
2-1657-0002  
C2THE UNITED STATES PATENT AND TRADEMARK OFFICE  
ACKNOWLEDGMENT AND RECEIPT FOR FILING

Applicant: Etcheverry, et al. Serial No. Unassigned  
Filing Date: July 6, 2004 Examiner Unassigned  
Title: MAMMALIAN CELL CULTURE PROCESS

22278 U.S. PTO  
10/886187

070604

- ☒ Utility Transmittal;
- ☒ Fee Transmittal;
- ☒ Fee Transmittal from parent application with request for three-month EOT;
- ☒ 50 pages of specification, claims and abstract;
- ☒ 2 sheets of drawings;
- ☒ Copy of DEC/POA and Assignment from parent application;
- ☒ Preliminary Amendment; and
- ☒ Authorization to charge Deposit Acct. No. 08-1641 in the amount of \$1,168.00 for continuation application filing fees.

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H.E.W.M. LLP

Attorney Docket No.: 21657-0002 C2  
Date: July 6, 2004  
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**COMMISSIONER FOR PATENTS**

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PTO/SBA/5 (01-04)

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	21657-0002 C2
First Inventor	TINA ETCHEVERRY
Title	MAMMALIAN CELL CULTURE PROCESS
Express Mail Label No.	EL 977 678 637 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 50]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Sheets 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.78

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS:**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IIS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/25 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:


☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/705,285

Prior application information:

Examiner: PAK, MICHAEL D.Art Unit: 1646

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number: 25213 OR ☐ Correspondence address below

Name	Heller Ehrman White & McAuliffe LLP		
Address	275 Middlefield Road		
City	Menlo Park	State	California
Country	USA	Zip Code	94025-3506
Telephone	(650) 324-7000	Fax	(650) 324-0638
Name (Print/Type)	JAMES A FOX	Registration No. (Attorney/Agent)	38,455
Signature		Date	July 6, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EL977678637US

PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 1,168.00**Complete if Known**

Application Number	TO BE ASSIGNED
Filing Date	HEREWITH
First Named Inventor	TINA ETCHEVERRY
Examiner Name	TO BE ASSIGNED
Art Unit	TO BE ASSIGNED
Attorney Docket No.	21657-0002 C2

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
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08-1641 (21657-0002 C2)

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The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1) (\$)** 770.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
23	-20** = 3	18.00	54.00
7	-3** = 4	86.00	344.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)** 398.00

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,820	1812 2,620	For filing a request for ex parte reexamination	
1804 920*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,640*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 850	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)****SUBMITTED BY**Name (Print/Type) **JAMES A. FOX**

Registration No. (Attorney/Agent)

38,455

(Complete if applicable)

Telephone (650) 324-7000

Signature

*James A. Fox*

Date

July 6, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

**COPY**

PTO/81/17 (10-03)

Approved for use through 07/31/2006, OME 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 950.00**Complete if Known**

Application Number	09/705,285
Filing Date	NOVEMBER 1, 2000
First Named Inventor	TINA ETCHEVERRY
Examiner Name	PAK, MICHAEL D.
Art Unit	1646
Attorney Docket No.	21657-0002 C1

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

08-1641 (21657-0002 C1)

HELLER EHRMAN WHITE &amp; McCAULIFFE LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 88	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 850	2253 475	Extension for reply within third month	950.00
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1808 770	2808 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 950.00**SUBMITTED BY**

Name (Print/Type)	GINGER R. DREGER	Registration No. (Attorney/Agent)	33,055	Telephone	(650) 324-7060
Signature		Date	JULY 8, 2004		

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OCT 25 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	) Examiner: To be Assigned
Tina Etcheverry, et al.	)
Application Serial No. To be Assigned	) Art Unit: To be Assigned
Filed: Herewith	)
For: <b>MAMMALIAN CELL CULTURE</b>	) Parent Serial No. 09/705,285
<b>PROCESS</b>	) Parent Filed: November 1, 2000
	) Attorney's Docket No. 21657-0002CZ
	) Customer No. 25213

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**EXPRESS MAIL LABEL NO. EL 977 678 637 US**  
Date Mailed: July 6, 2004

**MS: Patent Application**  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Prior to substantive examination of the above-identified patent application (which is filed concurrently herewith), and prior to calculation of the filing fee, Applicants respectfully request the entry of the following amendment. Attached herewith is a copy of the Fee Transmittal filed in the parent Application.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks** begin on page 7 of this paper.